

United States Coast Guard Activities-
Report to the Atlantic Large Whale Take Reduction Team
Submitted October 2018
Activities since November 2016 Report

The USCG has a robust program for the protection of marine species, including large whales. The USCG contributes to the Atlantic Large Whale Take Reduction Plan (ALWTRP) through at-sea enforcement using USCG vessels and aerial assets. In support of the development and enforcement of the ALWTRP, the USCG serves in an advisory capacity to the Atlantic Large Whale Take Reduction Team. In addition to enforcement, the USCG contributes to the non-regulatory components of the ALWTRP and its protected species through internal compliance and stranding/disentanglement response. USCG is also active in conservation of large whales by serving on multiple advisory bodies

FISHERIES INTERACTIONS

Guidance and Training

District Fisheries Officers provide guidance to the field through patrol orders, Law Enforcement Bulletins, and quarterly or annual enforcement guidance. The information helps to identify threats and priorities, and it guides the operational commanders' patrol activities.

The USCG trains boarding officers, managers, and operations officers about right whales and their regulations through the Northeast and Southeast Regional Fisheries Training Centers. The training highlights the status of large whales, discusses current regulations, and provides hands-on training.

Enforcement Focus:

In alignment with NOAA OLE's enforcement priorities in the Greater Atlantic Region, USCG and NOAA OLE met and discussed joint operations, including targeting certain gear and areas regulated by the ALWTRP. Several meetings occurred, and efforts contributed to pulse operations in the Northeast and Mid-Atlantic.

District 1 (Northeast: NY-ME):

- MAR2018: Air Station Cape Cod flew Cape Cod Bay to identify trap/pot and gillnet gear prohibited by ALWTRP. No gear identified.
- APR-JUN2018: Sector Southeastern New England participated in OP OPEN CHANNEL to target the Great South Channel Restricted Area closed to all trap/pot and gill net gear. USCG conducted 10 Aircraft sorties and 03 surface patrols. USCG did not detect any violations.
- MAY- SEP2018: Multiple units participated in OP TANGLED UP IN BLUE to target lobster gear and gillnets deployed with ALWTRP-regulated areas to include gear marking and weak links.
- AUG2018: USCG participated in OP ROCK LOBSTER to target LCMA 3, an offshore lobstering area. The two pronged approach ensured lobster gear

compliance with the ALWTRP as well as ensuring all hauled traps are tagged in accordance with federal regulations.

- During OP TANGLED UP IN BLUE and OP ROCKER- in total, 55 at-sea gear inspections were conducted and 01 violation was issued for improper weak links.

District 5 (Mid-Atlantic: NC-NJ):

- SEP2017, MAY2018, SEP2018-Ongoing: Multiple USCG units participated in OP WHALE SAFE to ensure ALWTRP compliance.
- MAY2018- Sector Delaware Bay conducted a pulse op to ensure ALWTRP compliance in conjunction with the trap/pot closure in LMCA 4.

ALWTRP Cases:

USCG cooperates with law enforcement partners, and USCG detected several potential ALWTRP violation since the last USCG Enforcement Report. The overall compliance rate for each District affected by the ALWTRP, pooled across all living marine resources boardings, exceeded USCG's goal of 97% observed compliance for FY18, by coming in at 98%.

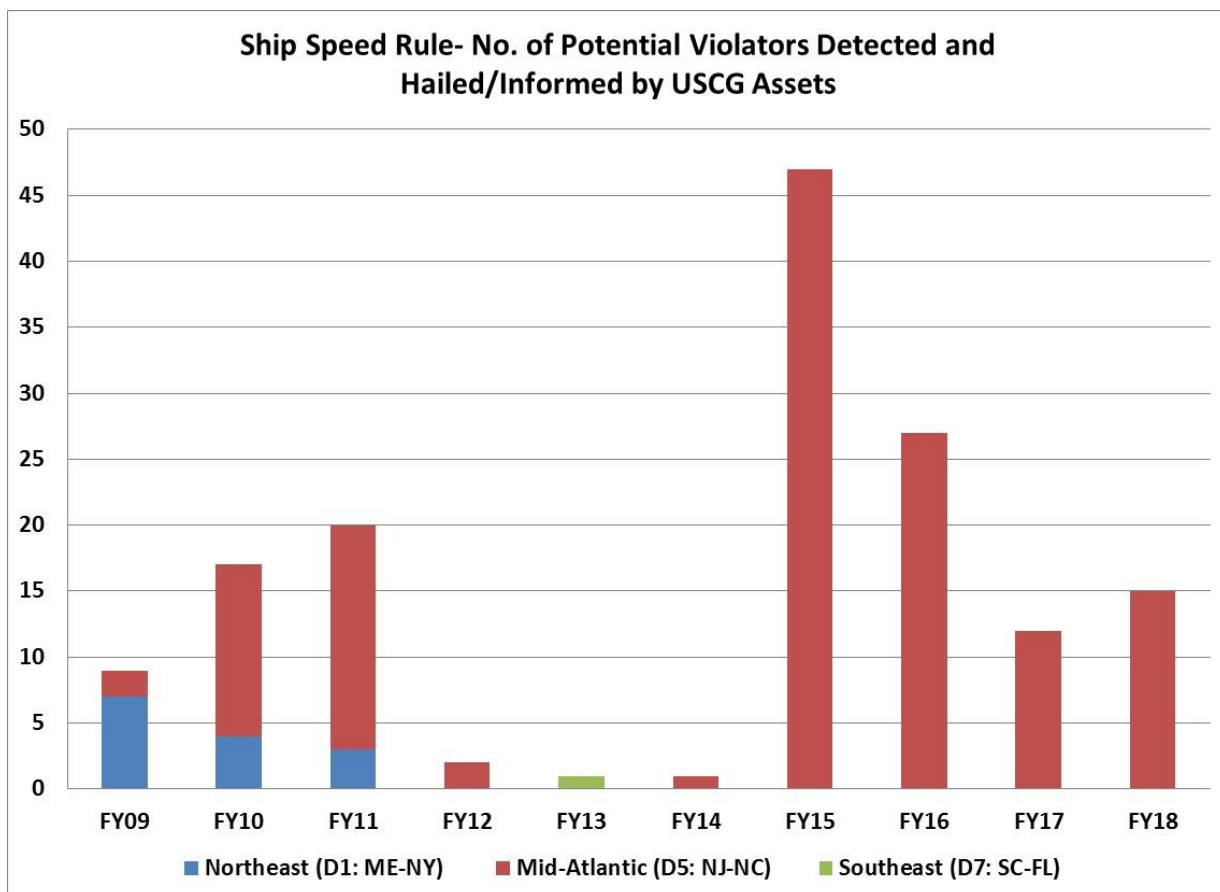
- DEC2016: District 5 (Mid-Atlantic: NC-NJ): CGC LEGARE issued an enforcement action report to a commercial vessel (croaker) for an ALWTRP violation: lack of weak links in the gillnet buoy lines.
- JAN2017: District 1 (Northeast: NY-ME): CGC SENECA issued an enforcement action report to a commercial vessel (multi-species) for lack of operator's permit onboard and an ALWTRP violation: lack of anchors.
- JAN2017: District 5 (Mid-Atlantic: NC-NJ): CGC HERON issued an enforcement action report to a commercial vessel (spiny dogfish) for fishing without radar reflectors and 02 ALWTRP violations: lack of sufficient weak links and lack of sufficient gear marking.
- MAY2017: District 1 (Northeast: NY-ME): CGC SANIBEL issued an enforcement action report to a commercial vessel (lobster) for fishing without radar reflectors and an ALWTRP violation: lack of gear marking on buoy line.
- JUL2017: District 1 (Northeast: NY-ME): CGC LEGARE issued an enforcement action report to a commercial vessel (multispecies) for retaining 02 Atlantic halibut and an ALWTRP violation: lack of weak links on the gillnet.
- MAY2018: District 1 (Northeast: NY-ME): CGC SANIBEL issued an enforcement action report to a commercial vessel (lobster): failure to have a federal fisheries permit onboard and 02 violations of the ALWTRP: lack of sufficient weak links of appropriate breaking strength and lack of sufficient line markings.

- JUN2018: District 1 (Northeast: NY-ME): CGC FORWARD issued an enforcement action report to a commercial vessel (lobster) for 02 violations of the ALWTRP: lack of sufficient weak links and lack of sufficient line markings.
- JUL2018: District 1 (Northeast: NY-ME): CGC FORWARD issued an enforcement action report to a commercial vessel (lobster) for possession of egg bearing lobster and an ALWTRP violation: lack of sufficient line markings.

VESSEL STRIKE REDUCTION

Enforcement of NOAA's Ship Strike Reduction Rule

NOAA OLE, NOAA General Counsel and the USCG partner on enforcement efforts. Working closely with NOAA OLE, USCG developed a web based near real-time system to filter AIS data to help enforce and monitor the ship strike rule. This filtered AIS data records vessels that are going faster than 10 knots in a Seasonal Management Area (SMA). Annually, USCG provides guidance to its fields units regarding the at-sea and shore side enforcement posture which compliments NOAA OLE's.



USCG actions included detecting the potential violators, hailing them, and informing them of the ship strike rule and speed requirements. USCG then provided written notification to NOAA OLE for further engagement, as necessary. USCG also

implements an educational and enforcement pulse operation, OP RIGHT SPEED, in the Mid-Atlantic since to help ensure compliance.

In the event of NOAA's designation of voluntary Dynamic Management Areas (DMAs), USCG issues a safety broadcast asking mariners to avoid the area or transit at 10 kts or less inside the area. NOAA designated several DMAs during this reporting period.

Right Whale Aerial Surveys

USCG provides funding annually toward aircraft support for the detection of right whales. USCG partners with NOAA, the Army Corps of Engineers, and the U.S. Navy in support of aerial surveys within the southeast; and USCG partners with NOAA in the northeast. These aerial surveys are called the Early Warning System and Sighting Advisory System, respectively. These initiatives help prevent ship strikes and contribute important data for management purposes. To this end, USCG contributed over \$225k in FY18. USCG has also worked with the Northeast Fisheries Science Center to transport NOAA scientists on-board USCG flights to sight right whales.

Outreach/Education

Through USCG's communication system, it provides mariners with information regarding recent sightings of right whales, aggregations, injured animals, emergency closures/opens, and Dynamic Management Areas. USCG also issues seasonal broadcasts to mariners informing them that right whales are known to occur during that particular time/area. USCG uses Local Notice to Mariners, Broadcast Notice to Mariners, NAVTEX, and VHF. The outreach/education message is in coordination with NOAA.

In an effort to inform the public and deter violations, in May 2018 USCG District 1 issued a press release describing efforts to protect right whales. The effort prompted a local media inquiry and a subsequent TV interview.

Mandatory Ship Reporting (MSR) System

USCG, in conjunction with NOAA Fisheries, operates the MSR, a ship reporting system designed to reduce the risk of commercial vessels colliding with North Atlantic right whales. The IMO-approved program commenced in 1999, and it requires all commercial ships greater than 300 gross tons to report their position, course, speed, destination, and route to the USCG prior to entering 2 designated areas of whale habitat. Ships submit these reports via satellite communications to the MSR, an automated database, which sends a return message to the ship advising them of the endangered status of the right whale and providing them with the locations of recent right whale sightings, and information on how to minimize their risk of collision. The MSR also records information from the ship reports to facilitate analysis of vessel traffic patterns in right whale habitat.

During CY18 through Q3, the system provided 277 reports to vessels in the northern reporting area and 369 reports to vessels in the southern reporting area. The total cumulative observed compliance rate for CY18 through SEP was 57%.

INTERNAL COMPLIANCE

The USCG is committed to enforcing and complying with the natural resources management requirements of Federal and state statutes. As such, the USCG faces a difficult challenge, enforcing laws and regulations that, at times, require operation in protected habitat and in proximity to protected species. It is Coast Guard policy that its vessels over 65 feet in length operate under the same speed and MSR restrictions, unless operations or safety of navigation require otherwise.

STRANDING/DISENTANGLEMENT RESPONSE

USCG vessels and aircraft provide operational assistance, logistic support, and safety standby for stranding and disentanglement responses.

USCG often conducts drift analyses of whales to assist with re-sighting efforts. During FY18 several NOAA staff members and whale scientists have been collaborating to refine use of the USCG Search and Rescue Optimal Planning System (SAROPS) Program for whale re-sightings. The goal is to refine current search tools and improve the likelihood of re-sightings with shorter searches. This include comparisons of SAROPS drift analyses to known drift patterns of whales where tracking buoys have been attached or nearby. Collaboration includes discussing which search proxies are most likely to mirror dead whales. Additional discussions have included broader application of USCG's Self-Locating Datum Marker Buoys to continue aiding in assessing SAROPS' accuracy for whale re-sighting purposes. This effort is ongoing.

In May 2018, USCG Sector Long Island Sound entered into an Agreement with NMFS Greater Atlantic Region to establish a framework for roles and responsibilities for how the Parties will respond to large whale stranding events and implement the Long Island Sound Large Whale Response Plan. This is in addition to the Co-investigator Status that USCG Atlantic Area holds under the Marine Mammal Health and Stranding Response Program.

Since the last report examples of USCG assistance for species protected under the ALWTRP (North Atlantic right, humpback, and fin whales), the below table reflects whales under ALWTRP protection and those individuals without species identification:

Date	Location	Species	Situation	USCG Response
11/14-15/16	3 NM South of Avalon	Whale, humpback	Re-sight, Re-sight Attempt, Overflight	Station Cape May responded to a Good Samaritan report of an entanglement whale. USCG re-sighted the whale but could not remain on scene until the arrival of the disentanglement team. CGC MAKO and Air Station Atlantic City were unable to relocate the whale on 15NOV16.
11/18/16	NY	Whale, humpback	Photo-documentation	Sector NY took pictures of a dead whale and relayed them to NOAA.

				NOAA did not request additional assistance.
11/21/16	Moriches Bay, Long Island	Whale, humpback	Safety Broadcast, Safety Perimeter	Partnered with Riverhead Foundation to respond to stranded live whale. USCG issued safety broadcasts, assisted with safety perimeter, and launched a governmental vehicle for landside crowd control.
12/05/16	Westhampton Beach, Long Island	Whale, humpback	Re-Sight Attempt, Safety Broadcast	A Good Samaritan reported to NOAA a live entangled humpback whale with a high flier in tow. Station Shinnecock launched to attempt a re-sight. Sector Long Island Sound worked with Suffolk County Police Dept for overflight. USCG issued a safety broadcast. Whale was not re-sighted.
1/06/17	Rudee Inlet, VA	Whale, species not identified	Re-sight Attempt	A Good Samaritan took pictures of what appeared to be an entangled whale with a dorsal fin. Station Little Creek launched and did not re-sight the animal. VA Aquarium and VA Beach Fire Rescue Marine Response could not re-sight animal.
1/12/17	Little Egg Inlet, NJ	Whale, humpback	Scientist Transport	Sector Delaware Bay received a report of a deceased whale in the vicinity of Little Egg Inlet, NJ. STA Atlantic City transported members of the Marine Mammal Stranding Center to the last known location of the whale.
4/13/17	Sesuit Harbor, MA	Whale, North Atlantic right	Re-sight, Tow	In response to a Good Samaritan report, Station Cape Cod Canal re-sighted a dead right whale and towed it for necropsy.
5/3/17	5 miles S of Cape May, NJ	Whale, humpback	Re-sight Attempt	In response to a request from the Marine Mammal Stranding Center, Station Cape May launched, searched, and was unable to sight the dead whale.
8/9/17	150 NM E of Cape Cod, MA	Whale, North Atlantic right	Sighting, Photo-documentation	Air Station Cape Cod aircraft spotted a dead right whale and photo-documented it. There was a time delay in relaying pictures to NOAA.
8/14/17	120 NM E of Cape Cod,	Whale, North	Sighting, Photo-	CGC LEGARE sighted a dead right whale and photo-documented it.

	MA	Atlantic right	documentation	
8/17/17	150 NM E of Cape Cod, MA	Whale, right	Drift Analysis, Re-sight Attempt, Scientist Transport	Air Station Cape Cod flew a NOAA Scientist to the last known position of the dead right whale to re-sight the animal and take pictures.
8/20/17	150 NM E of Cape Cod, MA	Whale, right	Drift Analysis, Re-sight Attempt, Scientist Transport, Buoy Launch	Air Station Cape Cod flew a NOAA Scientist to the last anticipated position of the dead right whale and launched a self-locating datum marker buoy to float with the whale.
8/20/17	Off NY	Whale, humpback	Re-sight Attempt, Scientist Transport	In response to a Good Samaritan report, USCG and Atlantic Marine Conservation Society re-sighted an entangled whale towing an orange/red bullet buoy about 10feet aft of the flukes. The whale was taking long dives and was eventually lost.
8/21/17	120 NM E of Cape Cod, MA	Whale, right	Re-sight Attempt, Drift Analysis	Air Station Cape Cod flew to re-sight the whale from 8/20/17 which had the marker buoy deployed with it. NOAA complimented the search with an at-sea component.
11/12/17	NY	Whale, humpback	Re-sight, Scientist Transport, Safety Perimeter	Station Jones Beach assisted the Coastal Studies Disentanglement Team with an entangled humpback whale. Station Jones Beach transferred personnel to and from the Team's boat, provided gear as needed, and provided a safety perimeter. The team was able to cut part of the line wrapped around the whale before it swam away.
11/18/17	Hewlett Bay, NY	Whale, humpback	Scientist Transport, Safety Perimeter	In response to a Good Samaritan sighting, Sector Long Island South and STA Jones Beach worked with NY Dpt of Environmental Conservation and locals to re-sight an inshore whale. Station Jones Beach relayed personnel and provided a safety perimeter while whale was encouraged offshore. The whale eventually swam away and assumed

				to have left the bay.
12/02/17	NY	Whale, humpback	Re-sight, Scientist Transport	Station Jones Beach assisted the Coastal Studies Entanglement Team with the search for an entangled humpback whale.
1/25/18	60 NM ESE Cape Henry, VA	Whale, North Atlantic right	Drift Analysis	Sector Southeast New England provided a drift analysis to NOAA for a whale carcass recovery off the coast of VA.
1/26/18	60 NM ESE Cape Henry, VA	Whale, North Atlantic right	Re-sight	In response to a Good Samaritan report of a dead right whale, Air Station Elizabeth City launched to re-sight and coordinated with the Navy for training area clearance. Animal was re-sighted and towed by a NOAA-coordinated surface asset to VA Beach for necropsy.
2/27/18	D1 AOR	Whale, North Atlantic right	Overflight, Scientist Transport	Air Station Cape Cod flew NOAA scientists to search 02 separate areas for concentrations of right whales.
3/01/2018	100 NM E of Cape Cod, MA	Whale, humpback	Sighting, Photo-documentation	Air Station Cape Cod sighted a dead whale and photo-documented it.
6/30 - 7/02/18	Raritan Bay, NJ	Whale, humpback	Re-sighting, Safety Perimeter, Re-sighting Attempt, Overflights	Station Sandy Hook and the NJ State Police partnered to respond to an entangled whale. While providing a safety perimeter around the whale, the units lost sight of the whale. NJ State Police and NJ Dept of Environmental Conservation, and USCG Auxiliary actively patrolled the area. Sector NY issued a safety broadcast. Air Station Cape Cod flew the area and no re-sightings were reported. Air Station Elizabeth City launched and re-sighted. The NOAA Disentanglement Team, which was standing by at Station Sandy Hook partnered with NJ Fish & Game, Monmouth County Sheriff, Atlantic Highlands FD and Middletown FD to complete the disentanglement.
7/30/18	1 mile off Montauk Beach;	Whale, humpback	Re-sight, Photo-documentation,	Sector Long Island Sound received a Good Samaritan report of an entangled whale. USCG notified the

	Montauk, NY		Safety Broadcast	Stranding Network. Sector Long Island issued a safety broadcast. Station Montauk launched, re-sighted the whale, and photo-documented it. The whale was determined to be free swimming, although there was a small green net/line seen on one of the whale's fins.
8/3/2018	NY harbor	Whale, species not reported.	Sighting	During routine operations, a Sector New York small boat sighted a dead whale. SEC New York notified Riverhead Foundation for Marine Research. Dead whale was towed offshore by a US Army Corps of Engineers vessel.
8/23/18	Sandy Hook Harbor, NY	Whale, humpback	Re-sight, Photo-documentation	In response to a Good Samaritan report of an entangled whale, Station Sandy Hook launched to re-sight and photo-documented the whale.
8/28-29/18	1 NM E Edgartown, Martha's Vineyard, MA	Whale, North Atlantic right	Re-sight, Drift Analysis, Buoy launch, Scientist Transport	A Good Samaritan reported a dead whale. Air Station Cape Cod re-sighted the whale and deployed a self-locating datum marker buoy to drift with the whale. Sector SE New England conducted a drift analysis. A Station Woods Hole small boat transported 04 scientists to view and tag the whale carcass.
9/08/18	Gloucester, MA	Whale, humpback	Re-sight Attempt	NOAA requested assistance regarding a dead whale sighting. Air Station Cape Cod flew to attempt a re-sight.

ADVISORY BODIES and ONGOING COLLABORATION

In an effort to collaborate on conservation efforts, USCG serves as a member on both the North Atlantic Right Whale Recovery Plan Northeast and Southeast Implementation Teams.

Seasonally, in advance of the right whale season in the Southeast, representatives from Sector Jacksonville such as the Captain of the Port, Response Department head, and Living Marine Resources Officer work with NOAA Protected Resources and FL Fish and Wildlife Conservation Commission to discuss outreach to mariners, speed zones, entanglement response, safety broadcasts, and responding to upriver whale incursions.

Data compiled 03 OCT 2018. Enforcement activity information through AUG 2018.
POC: Ms. Katie Moore, 757-398-6504, Katie.S.Moore@uscg.mil